

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KRUCIAL STAFFING, LLC

Plaintiff,

v.

FEDERAL INSURANCE COMPANY, et al.,

Defendants.

No. 1:20-cv-08202

**VOLUNTARY STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

It is hereby stipulated and agreed pursuant to Fed. R. Civ. P. 41(a)(1)(A) by and between Plaintiff Krucial Staffing LLC (“Krucial”) and Defendant Federal Insurance Company (“Federal”) through undersigned counsel of record, as follows:

1. The instant action, and all claims therein, is hereby dismissed as against Federal, without prejudice.
2. If, on or before April 22, 2022, Krucial should file another action against Federal based on or including the same claims or arising from the same nucleus of operative facts as are set forth in the instant action (the “Possible Second Action”), for purposes of calculating the statute of limitations, the Possible Second Action shall be deemed to have been filed on October 2, 2020, the date that the instant action originally was filed, and any limitations periods shall be deemed to be tolled from the date the instant action is dismissed until April, 22, 2022.
3. Each party is to bear its own legal fees, costs and expenses.

Dated: New York, New York  
May 5, 2021

By: 

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*Counsel for Defendant National Liability &  
Fire Insurance Company*

SO ORDERED.


Date: May \_\_, 2021

\_\_\_\_\_  
U.S. District Judge

Dated: New York, New York  
May 5, 2021

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SO ORDERED.

Date: May \_\_, 2021

\_\_\_\_\_  
U.S. District Judge